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Attorney Docket No.: AVARS-02500

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 2661

162 N. Wolfe Road Sunnyvale, CA 94086

Customer No.: 28960

(408) 530-9700

TRANSMITTAL LETTER

Examiner:

For: METHOD AND APPARATUS FOR	
Filed: July 25, 2002)
Serial No.: 10/070,515)
Michael J. Lloyd et al.)
In re Application of:)

OPTIMIZATION OF NETWORK TRAFFIC

MS: Amendment Commissioner for Patents

P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Enclosed please find a Supplemental Information Disclosure Statement, a Certification pursuant to 37 C.F.R. § 1.97(e) for the Information Disclosure Statement, and Form PTO-1449, including a copy of the reference contained thereon, for filing in the U.S. Patent and Trademark Office.

The Commissioner is hereby authorized to charge any additional fee or credit overpayment to our Deposit Account No. <u>08-1275</u>. An originally executed duplicate of this transmittal is enclosed for this purpose.

Respectfully submitted,

HAVERSTOCK & OWENS LLP

Dated: 7-21-05

Thomas B. Haverstock

Reg. No.: 32,571

Attorneys for Applicants

LERTIFICATE OF MAILING (37 CFR§ 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

HAVERSTOCK & OWENS LLP.

Date: 7-21-05

PATENT Attorney Docket No.: AVARS-02500

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael J. Lloyd et al.

Serial No.: 10/070,515

Filed: July 25, 2002

For: METHOD AND APPARATUS FOR

ASSESSMENT AND

OPTIMIZATION OF NETWORK

TRAFFIC

Group Art Unit: 2661

Examiner:

CERTIFICATION FOR SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR § 1.97(e)

162 N. Wolfe Road Sunnyvale, CA 94086 (408) 530-9700

MS: Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This certification is being made for the Supplemental Information Disclosure Statement accompanying this certification.

Certification

I, the person signing below, hereby certify that the printed publication contained in the enclosed supplemental information disclosure statement was cited within an Official Action mailed on July 6, 2005. Accordingly, I hereby certify that the reference contained within this supplemental information disclosure statement was not cited in a communication from a foreign patent office in a related foreign application, and, to the knowledge of the person signing the statement, after making reasonable inquiry, the reference contained within this supplemental information disclosure statement was not known to any individual designated in §1.56(c) more than three months prior to the filing of this supplemental information disclosure statement. 37 C.F.R. 1.97(e)(2).



Attorney Docket No.: AVARS-02500

Identification of Person Making Certification

The person making this certification is the attorney who signs below on the basis of the information in the attorney's file.

Respectfully submitted,

HAVERSTOCK & OWENS LLP

Dated: 7-21-05

Thomas B. Haverstock

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In re Application of:

Michael J. Lloyd et al.

Serial No.: 10/070,515

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METHOD AND APPARATUS FOR

ASSESSMENT AND

OPTIMIZATION OF NETWORK

TRAFFIC

MS: Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

The citation listed below, copy attached, may be material to the examination of the above-identified application, and is therefore submitted in compliance with the duty of disclosure defined in 37 C.F.R. §§ 1.56 and 1.97. The Examiner is requested to make this citation of official record in this application.

Applicants have become aware of the following printed publication which may be material to the examination of this application:

• U.S. Patent No. 6,829,221 B1.

SUPPLEMENTAL INFORMATION

Group Art Unit: 2661

Examiner:

162 N. Wolfe Road Sunnyvale, CA 94086 (408) 530-9700



Attorney Docket No.: AVARS-02500

This Supplemental Information Disclosure Statement under 37 C.F.R. §§ 1.56 and 1.97 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that this citation constitutes prior art.

Respectfully submitted,

HAVERSTOCK & OWENS LLP

Dated: 7-21-05

Thomas B. Haverstock

Reg. No.: 32,571

Attorneys for Applicants

CERTIFICATE OF MAILING (37 CFR§ 1.8(2))

t hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

HAVERSTOCK & OWENS LLP.

No

FORM PTO-1449 (Modified) U.S. Department of Commerce Patent and Trademark Office Attorney Docket No.: AVARS-02500 Serial No.: 10/070,515 INFORMATION DISCLOSURES STATEMENT BY APPLICANT (Use Several Sects if Necessary) Applicants: Michael J. Lloyd et al. Group Art Unit: 2661 (37 CFR § 1.98(b)) Filing Date: July 25, 2002 U.S. PATENT DOCUMENTS Examiner Initials Serial / Patent Number Subclass Issue Date Applicant / Patentee Class Filing Date 6,829,221 B1 12/07/2004 370 238 12/27/1999 AA Winckles et al. ΑB AC AD ΑE AF AG ΑH ΑI ΑJ FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS Translation Document Number **Publication Date** Country / Patent Office Class Subclass Yes ΑK AL AM AN

ΑO OTHER DOCUMENTS (Including Author, Title, Date, Relevant Pages, Place of Publication) ΑP AQ AR AS ΑT ΑU A۷ ΑW AXAY ΑZ Examiner: Date Considered:

Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

EXAMINER: